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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,270	10/29/2001	Eduard K. de Jong	P-6990	9584
7590	10/10/2006		EXAMINER	
Forrest Gunnison Gunnison, McKay & Hodgson, L.L.P. Suite 220 1900 Garden Road Monterey, CA 93940			WRIGHT, NORMAN M	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/040,270	DE JONG ET AL.
	Examiner	Art Unit
	Norman M. Wright	2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 6/12/2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 1D is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

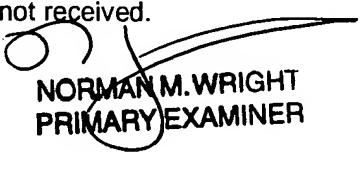
Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



NORMAN M. WRIGHT
PRIMARY EXAMINER

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date see attach. 8/1/06
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Response to Amendment

1. The examiner acknowledges applicant amendment filed on 12 June 2006.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-6 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Scott et al., U.S. Pat. No. 6,484,260, hereinafter '260.

4. As per claims 1-3, 5-6 and 11, '260 teaches a method and apparatus for security in a data processing system comprising: privacy protection, identification, enrolling for a service, a randomized identifier, a communication network, a storage device, a smart card/PID, authority ID/ content provider, network servers, cryptograms/ keys, credential data, credential request, verification, peer group/ trusted third party server, and a service provider, see figs. 1-3, 4A, 7-8, abs., summary, col. 6, and col.10-11.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7-9, are rejected under 35 U.S.C. 103(a) as being unpatentable over '260 as applied to claims 1-3, 5-6 and 11 above, and further in view of '361.

7. As per claims 7-9, '260 do not teach the use of Kerberos ticket/message service. See '361 abs., figs. 1E-8C, col. 3, at 0052 et seq., col. 5, lines 0070 et seq., and col. 6, 0078 et seq.

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to utilize a Kerberos ticketing access control protocol to augment the system of '260. One of ordinary skill in the art could have modified the system of '260 with the additional access security of a Kerberos protocol by implementing Kerberos over the operating system of '260. One of ordinary skill would have been motivated to choose to utilize Kerberos for the advantages it offers. Particularly in distributed security, authentication, and processing of encrypted keys.

Response to Arguments

8. Applicant's arguments filed 6/12/2006 have been fully considered but they are moot in view of the new rejection.

9. Applicant has remarked that '361 do not qualify as prior art, the examiner does not agree. '361 is a CIP of 591, as pointed out by applicant. '361 do have new matter as it pertains to the last two sentences in the abstract, dealing with link layer and end-to-end encryption. These two features are described in figures 10 and 11, and that aspect is not relied upon for this rejection. Thus, it appears that the citations of figures 1E-8C, col. 3, at 0052 et seq., col. 5, lines 0070 et seq., and col. 6, 0078 et seq. are sufficient

for teaching the claims as recited above. Specifically, figs. 1E-8C, col. 3, at 0052 et seq., col. 5, lines 0070 et seq., and col. 6, 0078 et seq.) of '361 are respectively figs. 1E-8C, col. 3, at 0042 et seq., col. 5, lines 0060 et seq., and col. 5, 0068 et seq. of '591. Therefore, 361 is believed to be entitled to the date of the prior application for the substance of rejecting the claims. Therefore, it is believed whether the examiner used '361 or '591 it still reads on the claim limitations. The other figures of '361 are graphical representation of concepts in 591, for example see 591 at 0063, 0071, 0075, and 0098. The examiner has removed these figures from the rejection for clarity, as they are not needed to convey in pictures the words recited as indicated above. Additionally, they were not needed to reject any of the claimed elements.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norman M. Wright whose telephone number is (571) 272-3844. The examiner can normally be reached on weekdays, from 8AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on (571) 272-6962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2134

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Normah M. Wright
Primary Examiner
Art Unit 2134